

REMARKS

Applicant has carefully reviewed the Application in light of the Final Office Action mailed December 16, 2005. At the time of the Final Office Action, Claims 1-33 were pending in the Application. Applicant amends Claims 1, 9, 17, 25, and 33 without prejudice or disclaimer. The amendments to these claims are not the result of any prior art reference and, thus, do not narrow the scope of any of the claims. Furthermore, the amendments are not related to patentability issues and only further clarify subject matter already present. All of Applicant's amendments have only been done in order to advance prosecution in this case. Applicant respectfully requests reconsideration of the pending claims and favorable action in this case.

Section 103 Rejections

The Examiner continues to reject Claims 1-4, 6-7, 9-12, 14-15, 17-20, 22-23, 25-28, 30-31, and 33 under 35 U.S.C. §103(a) as being unpatentable over U.S. Patent No. 6,119,014 issued to Alperovich et al. (hereinafter "*Alperovich*") in view of U.S. Patent No. 5,705,995 issued to Laflin et al. (hereinafter "*Laflin*"). The Examiner also rejects Claims 5, 13, 21, 29, and 32 under 35 U.S.C. §103(a) as being unpatentable over *Alperovich* in view of *Laflin* as applied to Claims 4, 12, 20, 25, and 28, and further in view of what is well known in the art. The Examiner also rejects Claims 8, 16, 24, and 32 under 35 U.S.C. §103(a) as being unpatentable over *Alperovich* in view of *Laflin* as applied to Claims 1, 9, 17, and 25 above, and further in view of U.S. Publication No. 2001/0041571 A1 issued to Yuan (hereinafter "*Yuan*"). These rejections are respectfully traversed for the following reasons.

Applicant has reviewed the Examiner's comments to Applicant's previous arguments. Applicant remains confident in the allowability of the pending claims in their current format and is certainly willing to appeal this case. However, in the spirit of cooperation, Applicant has made a series of amendments to the Independent Claims such that they now clearly outline the filtering operation, which was highlighted by the Examiner in the Office Action. (See Office Action: page 21.)

There are several limitations missing in *Alperovich*: specifically *Alperovich*'s architecture cannot analyze the message to determine if it contains pushed data, determine if the message contains pushed data, whether the pushed data is appropriate for a session

currently being hosted by the mobile unit, and post the pushed data to the session if the data is appropriate for the session. The Examiner has indicated that the combination of some or all of these operations (collectively) performs a filtering function for the mobile station. To this end, the Examiner suggested that such a function be recited in Independent Claim 1. Applicant has complied with the Examiner's request in an effort to expedite the prosecution of this case.

The filtering function empowers the mobile device to make an evaluation of whether or not the selected data is appropriate for the session. Without such an ability, there is no control provided to the mobile device for which type of data propagates to the end users. Undesired data consumes resources, augments processing loads, and hampers the end user's experience. There is nothing in any reference that provides this significant filtering function for the mobile device.

For at least these reasons, Independent Claim 1 is clearly allowable over the proposed combinations. In addition, Independent Claims 9, 17, 25, and 33 include a limitation that is similar, but not identical, to that of Independent Claim 1. Accordingly, these Independent Claims are also allowable over the proffered combinations using a similar rationale. Additionally, the dependent claims corresponding of these Independent Claims are also allowable for analogous reasons.

Thus, all of the pending claims have been shown to be allowable, as they are patentable over the references of record. Notice to this effect is respectfully requested in the form of a full allowance of these pending claims.

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CONCLUSION

Applicant has now made an earnest attempt to place this case in condition for immediate allowance. For the foregoing reasons and for all other reasons clear and apparent, Applicant respectfully requests reconsideration and allowance of the pending claims.

Applicant believes no fee is due. However, if this is not the case, the Commissioner is hereby authorized to charge any amount required or credit any overpayment to Deposit Account No. 02-0384 of BAKER BOTTS L.L.P.

If there are matters that can be discussed by telephone to advance prosecution of this application, Applicant invites the Examiner to contact Thomas J. Frame at 214.953.6675.

Respectfully submitted,
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